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OFFICE OF PETITIONS

In re Application of :  
Scot Shepard :  
Application No. 09/766,043 :  
Filed: January 19, 2001 :  
Attorney Docket No. D/2001,690 US PD :

ON PETITION

This is a decision on the renewed petition under 37 CFR 1.181 to withdraw the holding of abandonment, filed March 20, 2006.

The petition to withdraw the holding of abandonment is **GRANTED**.

This above-identified application became abandoned for failure to file a response to a Notice to File Corrected Application Papers which was mailed on February 18, 2003. The Notice to File Corrected Application Papers set an extendable two (2) month period for reply. No timely request for extension of time was obtained under the provisions of 37 CFR §1.136(a). Accordingly, this application became abandoned on April 19, 2003. A Notice of Abandonment was mailed on October 22, 2003. A petition to withdraw the holding of abandonment was dismissed on March 10, 2006.

Petitioner states the Notice to File Corrected application papers mailed on February 18, 2003 was never received. Petitioner states a search of the file jacket and docket records confirms the Notice was not received. In support of petitioner's contention, a copy of the file jacket and docket records have been provided.

This application is being forwarded to the Office of Initial Patent Examination for further processing

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

Charlema R. Grant  
Petitions Attorney  
Office of Petitions